

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR NO. 2077 of 2006
DATE OF DECISION. 22.11.2006.

Atto Ram @ Atma Ram

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Ms. K. K. Kahlon, Advocate
with Mr. Kuldip Singh, Advocate
Mr. Mohinder Singh Joshi, DAG, Punjab.

AJAI LAMBA , J(Oral)

This revision is directed against judgment of conviction recorded for commission of an offence under Section 304 A IPC and sentence of rigorous imprisonment for 1 year and fine of Rs. 500/- (in default for 1 month) and under Section 279 IPC rigorous imprisonment for three month, which has been confirmed by the appellate Court vide judgment dated 12.7.2006.

The judgment of conviction has not been challenged and arguments have been addressed only on the quantum of sentence.

It is pleaded on behalf of the petitioner that the petitioner is a poor person and the only bread earner for the family. He is the first offender.

I have considered the facts and circumstances of the case. In my considered view, the ends of justice would be served if the sentence is reduced to already undergone which is stated to be more than 5 months and fine is enhanced to Rs. 10,000/- which shall be deposited with the Chief Judicial Magistrate, Ropar and shall be released in favour of Jit Kumar son

of Muni Lal, brother of the deceased namely Hazari Mandal. In case the fine is not paid, the petitioner would be required to undergo rigorous imprisonment for three months.

Accordingly the revision petition is dismissed with the above modification in the order of sentence.

November 22, 2006

mamta

**(AJAI LAMBA)
JUDGE**